693 plaintiff (lord of blood) has the right to name them. Or they may be
609 named by the "bairaktar" (head of the tribe). This is only done if the
682 matter cannot be settled by con-jurors chosen by the plaintiff.

The gjaksur has the right to object to two of the con-jurors, who must be replaced by others. The con-jurors are all men of standing in the tribe ("plect," elders; "kreu," heads). They examine the facts and hear the accused ("gjaksur") and decide if peace can be made and on what terms. If all twenty-four agree to take the peace oath with him he is then reckoned innocent, and he and his family do not owe any further blood, but pay blood-gelt to the zoti i gjakut. This varied from about £25 to £50. If they all agree but one, he may be replaced by two others. If still no agreement is come to, the gjaksur may bring more con-jurors, who are members of his family, up to the number of eight.

Agreement having been come to, the whole party goes into the
[682 church (or mosque) before which the council has been held. In the
608] church the candles are lighted on the altar, and in the presence of the priest the gjaksur swears his innocence. He no longer owes blood and is, therefore, innocent. Next swear those of his family who may have been summoned, and then all the con-jurors. After this the gjaksur and the zoti i gjakut frequently ratify the peace by swearing blood brotherhood (*v.* Blood Brotherhood).

By Moslems the oath is sworn in the mosque.

693 Each of the con-jurors has to be paid a small fee for his services. The plaintiff in some cases can thus annoy the accused by insisting upon the full number of con-jurors allowed by the law. A priest counts as twelve con-jurors, and sometimes an important elder is reckoned as two.

628 The oath being taken and the blood-gelt paid, the man is free to return to his burnt house and repair it. Being as a rule of solid stone, only the roof and woodwork need renewing. If he is a popular man, other members of the tribe help him both to pay the fine and start life again.

● 627 To Mgr. Miédia, now Archbishop of Scutari, I am indebted for an
682 account of how two families can make peace voluntarily without appeal to the law. Having ascertained by means of emissaries that peace will be acceptable, the gjaksur and his relatives choose a feast day and enter the house of the injured family with their hands bound. A child placed the wrong way round in a cradle is carried with them. If the peace offer is accepted the lord of blood loosens their bonds and puts the child straight in the cradle. The blood-gelt is then arranged and paid. This custom existed among the Dukagini.

682 The above all refers to a murder committed by one man. But it
628 may happen that several men all fire at once and kill a man. A search

should strike the next man and the blow would entail a fight and blood. Women should walk the length of a distaff apart—they usually spin as they go—lest a blow given should draw their men into a fight. [671]

Neither man nor woman must pass between two persons who have just been speaking together, for (? in some occult manner) this will cause them to quarrel. So strong is this belief that once in a small hut a woman gripped me by the shoulder, dragged me out, and squeezed herself between me and the wall in order to avoid passing between me and Marko, where there was plenty of room. Lek, I was told, had so ordained. I like to think that he did his best by means of house-burning and fines to diminish the very ancient custom of "blood," and that he did not deserve the Pope's excommunication. [671] [576]

As we have seen, house-burning and fine are the only punishments under the Canon. Nevertheless, by decree of the council of the whole tribe the death penalty can be inflicted. In February 1912 an amazing case of wholesale justice was reported to me which had recently taken place in Mirdita. A certain family of the Fandi bairak had long been notorious for evil-doing—robbing, shooting, and being a pest to the tribe. A gathering of all the heads condemned all the males of the family to death. Men were appointed to lay in wait for them on a certain day and pick them off; and on that day the whole seventeen of them were shot. One was but five and another but twelve years old. I protested against thus killing children who must be innocent and was told: "It was bad blood and must not be further propagated." Such was the belief in heredity that it was proposed to kill an unfortunate woman who was pregnant, lest she should bear a male and so renew the evil. Three shots which missed were fired at her; she rushed to a man and called on him to protect her. He took her under his beza and she was spared. [671] [671]

A case of private "justice," though it took place in South Albania at Postenani, a small isolated village, and so is not connected with the Canon of Lek, is so singular that it should be recorded. I stayed some days at the village and, when leaving, a crowd gathered to see me start. When we were on the way my guide asked if I had noticed a woman who had stood near the door; I had not. He said it was a pity, as she was a very brave woman and had saved her husband. They owned a house and some land; a child was born to them, and all went well till her husband's brother arrived. He was a bad man, and demoralized the village, not only by starting gambling with card games, but by drinking and teaching very vicious practices to the youth. The woman with dismay saw her husband taken with the gambling craze, playing away his goods, and nearing ruin. Then the child was ill. She prayed her husband to send for a doctor; but the nearest was a whole day's [671] [83] [525]

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1

ride distant, and he replied it would cost too much. The child died. The woman then became desperate, and to save her husband she killed her brother-in-law. I asked, "Did she shoot him herself?" "No, she paid a Turk to waylay him on his way to market." The whole village was glad to be rid of him. Everyone knew she had done it. "But what did her husband say?" "At first he was angry, but he soon saw it was for the best. Now they live happily, but God has not given them another child." "Could he not have been handed over to justice instead of being shot?" "No, he was rich and would have bribed the Turkish authorities, and have been let off and been worse than ever." "Did not the Turkish authorities interfere about the murder?" "No, why should they? It was within the family, and all agreed it was right. She saved not only her husband but the whole village, and was a very brave woman."

3. Montenegro

The first written Code of Laws was drawn up for Montenegro by Vladika Petar I in 1796.

An examination of this Code shows that it is meant to deal with a state of affairs resembling that with which the Canon of Lek Dukagin deals, and is a step in advance. All early accounts of Montenegro show the tribes ceaselessly "in blood" with each other, and the rules and customs identical in most respects with those of the Dukagini. Nor is this surprising, for our examination of the Montenegrin tribes has shown that many are of Vlah and Albanian origin, and that the Montenegrin is not so much a Serb as a Serbized descendant of the older inhabitants.

Vladan Georgevitch, in *Europa i Crnagora* (Belgrade, 1912), gives many documents which show this resemblance of the customs of Montenegro to those of the Dukagini. From that of the Russian, Putchkov, dated March 21, 1760, we learn that the then Vladika Vasili was afraid of his own people and kept near Putchkov as a protection. This shows that in Montenegro, as in Albania, a man could not be shot if with a guest. "The people," he said, "are wild, and without great trouble no order could be made among them, for they recognized no right and knew no law. If any does harm to another, blood is at once taken, and the murderer flies to another district, where he is safe from punishment. Thus a Popiovitch of Tzrmnitza Nahia killed a neighbour and, leaving wife and children, fled to Cetinje. They 'destroyed' his house—that is, they pulled off the thatch and pulled out a few stones." He reports that he saw many such houses. "If the murderer is of a powerful house he stays at home, and 'the house' wages war with that of the murdered man till peace is arranged by the headmen or the

[P77-120 blank]

4: Garnett B-4, 5 (ca. 1880) 1891
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retired to the pasturage of Beston, which the shepherd gave to his daughter, taking with them the sheep which constituted Clement's wages. Here they settled down and prospered, leaving behind them great wealth in flocks, and a numerous family of descendants. At the present day the tribe of the Clementi number 500 families, or 5400 souls.

Social morality is pushed to its extremest limit by the Miridite mountaineers. Though their women enjoy the greatest freedom, an unmarried girl cannot, out of doors, speak to a man not a relative of her family without risking the loss of her reputation, a calamity which few would care to survive. M. Hecquard cites a case in point, related to him by an Albanian *abbé*, which well illustrates the value that an Albanian girl sets on her honour. A man happened to remark in joke to a girl, the sister of one of his friends, and before several other persons, that he had seen her in conversation with a young man, whose name he mentioned. On the following Easter Sunday, when all the tribe were congregated, the girl, who was under fifteen, on leaving the church after partaking, as is customary on that day, of the Eucharist, called God to witness to her innocence, and seizing a pistol from one of her relatives, shot herself through the heart. Two days afterwards, the man whose careless words had been the cause of the tragedy fell by the hand of the victim's brother.

Among the Albanians exogamy is the general rule, which is carried out by the Miridite chieftains to the extent of carrying off by force a woman from one of the neighbouring Moslem tribes. The wives of the

4: Garnett B-4, 5 (ca. 1880) 1891
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also made use of by the Albanian highlanders generally, when settling matters of importance. According to this writer, quoting from M. Ampère,[1] a similar custom also existed among the ancient Romans. Sylla, on leaving Rome to fight against Mithridates, required Cinna to swear, not by the national divinities, but on the Sacred Stone, and according to an ancient rite of the Etruscans, to make no innovations during his absence. Cinna, when pronouncing this oath, placed the stone on his shoulder, and then threw it backwards, while he pronounced, in a loud voice, the curses which should fall upon him were he false to his promise. The taking of this oath in Albania is attended with the same ceremonies. It is sworn by the elders of the *phara*, or clans, on the occasion of settling serious disputes, such as those concerning the boundaries of village lands, or other communal matters. The elders of the two tribes, Christian or Moslem, after taking the Oath of the Stone, assemble in council and settle the question at issue.

This oath, in another form, also enters into every-day speech. In course of conversation, when a Gheg wishes to emphasise what he is saying, he takes up in his hand, or points to, the nearest stone, saying, "By this weight" (*Per ket pésë*), and a Tosk makes use of the phrase, "By the heaviness of this stone" (*Per të rrnd të këti gúr*).[2]

The Supernals, with which the Albanian women terrify themselves and their children, appear to be, for the most part, like those of the Bulgarians,

[1] *Histoire des Romains à Rome.* [2] Wentzel, *Op. cit.*

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000 were the Albanian mountains held by the Serbs who had put a price on his head.

576 627 "Safe?" said he, scornfully. "A man is always safe in another man's house. It has happened not once, but often, in these mountains, that a man has given shelter to a hunted man and found, while the guest sat at his fire, that he was harboring a man who had shot the son of the house not an hour before. The neighbors bring in the body, and the father sits beside it, with the murderer under his roof. And the father gives him coffee and food and drink and rolls cigarettes for him, until the guest is ready to go, and then he accompanies him for an hour's journey, so that none of the tribe can injure him, and says a courteous farewell to him on the trail. 'Go on a smooth road,' he says. 'There is a word of peace between us for a day and a night because you are my guest. After that I will follow you all my life, until I kill you.'"

I began to see the exquisite, infinite complications of that system of law and order, the Law of Lee, which guides these people in all their actions, and I thought, "This goes back beyond the Middle Ages," remembering the old Bible stories of the time when men lived similarly, under the laws of Moses.

000 But already the sense of perspective in time was growing dim; we were living in the past, not thinking of it, and the scores of future centuries in which men would spread over Europe, invent private property, build great cities and

000 walked on, seeing even with our untrained eyes that the "white coal" of those thousand streams is enough to turn every wheel in a reorganized Europe, and dreaming—dreams that will never be realized.

•627 Then we saw the men stopping on the trail ahead, stopping with quick hands on their rifles, and, remembering in a strange kind of panic that 627 no one could be killed in the presence of a woman, I flung myself gasping up the slope, crying with my last half breath, "Long may you live!" to two strange men who appeared before us.

Then I collapsed, panting, on a grassy knoll, and dimly through my dizzy eyes I saw that the men, relaxing gladly, were sitting down around me and taking out their silver tobacco boxes.

"A Shoshi man," said Perolli, "with one of Pultit. I don't just get it; something to do with the blood feud. Let me listen."

We sat on the grassy knoll that seemed to be the edge at the end of the world, so far below it the valleys lay, and listened while the men of the tribes that were "in blood" talked easily together of unimportant matters and offered one another cigarettes.

The Shoshi man had taken off his turban and wore on his handsome head only the tiny round white cap, hardly larger than the curved palm of a hand, that covered his scalp lock. Around its edges the hair was shaved clean to the skull, and with his weather-browned face and scarlet sash bristling with knives he looked altogether the savage.

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He was an exile from his own tribe, we learned. 627 A man of the tribe had killed this man's brother in a quarrel over irrigation water; the chief men of the tribe had called a council and deplored the murder, condemning the murderer to pay ten thousand kronen to the murdered man's family. This had been done, but the brother rebelled against the decision. Blood could be paid for only in blood, he declared; such was the ancient Law of Lec, and who were the men of these young centuries, that they should set aside that law? Therefore he had shot and killed the man who had killed his brother, and, sending his wife to the chiefs to return the ten thousand kronen, he had fled to the house of a friend in Pultit.

Now it is the law that when the chiefs of a tribe take council together and arrive at a decision, they must consult all the members of the tribe involved in that decision; when they all agree to it, it must be carried out. The honor of the chiefs is involved. If any party to the agreement breaks it, then all the chiefs, together and separately, with all masculine members of their families, must not rest until they kill that man and clear their honor. So seven chiefs of Shoshi, with all their sons and brothers, were hunting this Shoshi man.

"As it should be," said one of our men, judicially, and quoted their proverb, "A goat is tied by the horns, a man by his word."

"That may be," said the Shoshi man, retorting with another, "but 'where the tooth aches

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627 the tongue will go.' This matter was a sore tooth to me, and I had no sleep until I killed that man who killed my brother. As to the money, I have returned it. Money will not buy my brother's blood."

The men fell silent, smoking. "But why hasn't he been killed before now?" I demanded of Perolli, when their words had been translated to me.

"He is traveling with his friend, the man of Pultit," said Perolli. "He is under that man's protection. If the chiefs of Shoshi kill him, they will be in blood with the tribe of Pultit, whose hospitality they will have violated. Shoshi is already in blood with Shala, and——"

I exclaimed aloud. The endless complexities of the laws of these supposedly lawless people were too much for me. It was almost as bewildering as our own courts.

"Meantime," said Perolli, "the chiefs have torn down this man's house, and that would make it seem that they will reach some peaceful settlement."

"Would it?" said I.

"Of course. For if they meant not to stop until they killed him they would not have destroyed his house. I think that they will hold another council and simply banish him from the tribe and from the mountains."

"But if he does not go?"

"Oh, then, of course, they would really have to kill him. And of course they must kill him

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now, if they meet him. But as long as the man of Pultit is with him, they will try not to meet him."

"So," said I, "wherever there are laws there are ways of getting around them. And," I continued, remembering, "these men of ours would have to be killing him now, if I were not here?"

"Certainly," said Perolli. "Our Shala men would have to, because Shala is in blood with Shoshi, and this is a Shoshi man."

"Even when his own chiefs are hunting him? Even if he were banished from the tribe?"

"Well, one doesn't stop to ask that. He wears the Shoshi braiding on his trousers."

"I see," said I, and after we had rested and talked and smoked together for some time, the Shoshi man rose leisurely to go. The man of Pultit rose instantly, with him, and each cast a searching glance over the valley before them. Then they hitched more comfortably over their shoulders the woven woolen straps that held their rifles, ran an alert hand over the knives and pistols in their sashes, threw away the butts of their cigarettes.

"Long life to you," they said, politely.

"And to you long life," we responded. "Go on a smooth trail."

In a moment the last glimpse of their heads had disappeared as they made their way down the steep path. The forest was very still, the sunlight on the wet rocks very golden, and for a hundred miles the mountains stretched into

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423 578 "With my own hands I laid the roof upon it. It is my house. I will not give up my house."

Frances and I hugged each other in silent convulsions of delight. My pen spilled ink on my excited hands as I tried to capture their words in shorthand. I was seeing, actually seeing with my own eyes, the invention of private property!

"What are they going to do about it?"

The question was not too tactful, nor too happily received, but they answered it. "They have already called a council of the whole village four [621] times," said Perolli. "They will do nothing about it. ? Houses belong to the tribe. It is a large house, and the people have decided that her dead husband's brother shall have it for his household. She has been offered a place in it. If she does not want that, she can live wherever she likes in the tribe. No one will refuse shelter or food to her and her children. She has friends with whom she can live, since she quarrels with her husband's brother. All this is absurd, and they will not call another council to satisfy a foolish woman."

"I want my house," said the woman.

Then the oldest man—one of the little boys was playing with the silver chains around his neck, and another hung heavily against his shoulder, but his dignity was undisturbed and he was obviously chief of the chiefs—appealed to me.

609 423 "In your country, what would you do with such a woman?" And I perceived that I was

[For data on this gnic - [107] vance, see cat. 116, pp. 97-101, 104-107 -- Analyst]

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837 628 619 thing would mean a blood feud between tribes. No man would make love to a girl of his own tribe, of course; a tribe traces its ancestry back to a common ancestor, and it would be like an American's making love to his own sister. And if he seduced a girl of another tribe he would be involving hundreds of people. Men have to respect women in these mountains; they're killed if they don't, and not only they, but their families. A blood feud is no joke.

"However, I did hear of its happening once. The man's family had to send word to the family of the girl to whom he was betrothed, to say that he could not marry her because he was going to have a child by another woman. The three tribes met in council and prevented a blood feud, but the man's family had to pay his fiancée's tribe ten thousand kronen, and ten thousand kronen to the family of the man that the other girl was engaged to. Then those two married, and the first man married the girl who was going to have his child. But it was a terrible disgrace to both their families.

But he cut short our awed admiration for such a rigidly moral community. He was a man of Ipek, educated in Europe, and returned to Tirana, and his attitude to the ignorant tribes of these mountains was not one of admiration.

584 627 "They are really a wretched lot," he declared. "Now, take a thing like this, for instance." And he told us that in a house a few miles down the valley there was a nine-year-old girl held prisoner. The story was this:

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584
627 A man of Pultit had betrothed his unborn child to the unborn child of a man of Shala, eighteen years ago. The two men, being friends, and one evening drinking rakejia together, had agreed that if one child proved to be a boy and the other a girl, they should marry. The wife of the Pultit man had protested; she did not like the tribe of Shala, and she did not like her husband's friend, perhaps because he was too fond of rakejia. Besides, she was an ambitious woman, and said that if she had a daughter she would marry her in Scutari. Wild, irrational woman! But the compact was made, and nothing was left to her but to hope that both children would be boys, or both girls.

However, she became the mother of a daughter, and the Shala man became the father of a son. The girl was eleven years old, and in a few more years would have been duly married in Shala, when the Serbs and Montenegrins, pouring down over the mountains in the retreat before the Austrians, suddenly invaded Albania, and in fighting those ancestral enemies the girl's father was killed. The mother immediately took her children and fled to Scutari.

Four years later, the girl now being of marriageable age, Shala sent to Scutari for her, and what was their outrage to discover that the mother not only would not give her up, but had actually betrothed her to a Scutari man! The gendarmes of Scutari make simple and direct justice difficult; mountain law does not apply

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584 there. Two Shala men made an attempt to
627 carry off the girl, and were captured by superior
forces and thrown into jail. Not killed, you perceive, but trapped, and talked over at length, and kept in a cage for some time, and at length freed, all most absurdly and unreasonably. They returned at once to their task, but they found it impossible to seize the girl again. She was closely guarded, not only by her mother, but by the family of the Scutari man to whom she was unjustly betrothed. So, finding that way to justice blocked, the Shala men caught her little sister, eight years old, and triumphantly escaped with her into the mountains.

She was not yet of marriageable age, and the Shala bridegroom must wait another six years, but justice had been done, though imperfectly. Pultit owed him a bride, and a Pultit bride he would have, with patience. The girl was brought to his house, and was even now being kept there, much against her will, while the family waited for her to grow old enough to be married.

ooo "Those are things that we must change as soon as the government is strong enough," Perolli said, decisively, and we hoped that the government would be strong enough in time to rescue the girl, though the poor Shala lad, through no fault of his own, seemed doomed to live an unhappy bachelor.

In Padre Marjan's kitchen we found at least twenty visitors from the village; the men were there again, among them all the chiefs but

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ooo ing one another across ravines and from far mountain slopes.

576 "Yes," he said, "I am happy. I am happy, for Sadiri Luka is a true Albanian, and when I go back to the plains I shall see that he is released from the price on his head which has been offered in Scutari."

"What!" we cried. Yes, he said, in a matter-of-fact tone, ten thousand kronen were officially offered for the head of Sadiri Luka.

"And he doesn't even carry a gun?"

"Why should he? He is among his own people. It is no shame to go unarmed among his own people. He would carry a rifle, certainly, if he had to go to Scutari."

"But you are from Scutari—we are all from Scutari—Cheremi, Rexh—and he asked us to his house?"

Perolli looked at us with scorn. We had been guests in the house of Sadiri Luka, he explained, with weary patience. If he had been twenty times a traitor to Albania, could a guest have killed him? And on the trail he had not carried a gun; no one could kill him, unarmed. He could go to Scutari in safety, if he went unarmed. But, of course, he would not do that, for that
627 would be shameful. For two years he had been living in upper Thethis, unable to go to Scutari without risking his life, though he was a merchant, and poor, and could have made a business for himself in Scutari. But it had all been a mistake, said Perolli, which he would clear up.

1 [Perolli, secretary to Albanian [1914] minister of Interior -- Analyst]
2 [of Thethis -- Analyst]

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Sadiri Luka had lost all he owned in Ipek when 627 the Serbs came in. He escaped with only his rugs and the few pieces of silver we had seen. But his flocks, which were in summer pasture on the high mountains, had not been taken. Sadiri Luka had come back to his people in upper Thethis, and in the winter he had brought his flocks there. And in the spring he had sent them back to their summer pasture, now on the other side of the 1913 frontier. For this the price had been put on his head, as a traitor. How could his shepherds come and go with his flocks across the new frontier, guarded by Serbian troops, unless he were a traitor to Albania, unless he had secret dealings with the Serbs? For two years his sheep had got safely to their summer pastures and back again, while all the other flocks of Thethis had been taken by the Serbs or killed at home because there was no longer pasture for them.

The explanation, however, was quite simple. Sadiri Luka was a successful smuggler of his sheep. He explained to Perolli how he did it, for both of them knew by heart these mountains, which were strange to the Serbs. Once safely across the frontier, the flocks were comparatively safe, for the high plateaus where they grazed were uninhabited and hard to reach; so far, none but Albanian shepherds of Ipek had seen them there. Sheep, when they had no bells or lambs, were silent things, and the flocks were moved by night. Sadiri Luka said that, if he had reached

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627 Thethis in time, he could have saved all the flocks by smuggling them through the ways he knew; already his shepherds were taking with them the few lambs born in Thethis in the last two years.

There was no question that Sadiri Luka was a true Albanian. For the Serbs had relied on their possession of the pasture lands to starve the tribes on the border into treason to Albania, so that the frontier could again be moved forward. Sadiri Luka, with his flocks, could have been a powerful weapon in Serbian hands, an object-lesson to the people of the advantages of friendship with Serbia which would have been well worth paying for. But he preferred to risk his sheep by smuggling them. The price on his head had been a mistake. The chiefs of Thethis had already said this to Perolli, and talk with Sadiri Luka had convinced him that it was true. Therefore he was very happy, and sang along the trail.

But joy is not a lasting thing on Albanian trails. We had gone but a little way, perhaps half an hour, when the skies opened again. The water fell with such force that we feared we would be washed from our foothold, and, gasping and drenched, clutching bowlders and deformed trees, we struggled into the shelter of a leaning cliff. We had hardly reached it when around its corner came two women under loads of wood. One was old and withered, with a strange, sharp expression; the other, as she put down her burden and straightened her back,

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showed us a most beautiful face. The pose of her head was regal, her forehead and eyes and mouth struck the heart with their perfection of beauty and sorrow. 627

"You are a happy girl," she said to Frances, after our greetings. "I have never before seen anyone so happy. Why do you come to our sad country?"

Frances said we came because we loved the Albanian people and wanted to know them better.

"We would bless the trails that led you to our house," they said, and added, "but ours is a sad house."

"Why?" we asked, and the old woman answered, while the younger stared into the sheets of rain that veiled Thethis from us.

The son of the house, Kol Marku, husband of the younger woman, was an exile from his home. His wife had been brought to his house only a week before the night when he killed his cousin, Pjeter Gjon. He had not meant to do it. With a number of other men they had been sitting by his fire, their rifles on their knees, as usual. They were cold and tired and had been talking of crops, when suddenly Kol's rifle spoke and Pjeter fell back and died. Kol swore that he had not touched the trigger, but when the body was carried to the house of Pjeter, Pjeter's family said that Kol had killed him in order to become the head of the family and move with his bride into Pjeter's rich house. They claimed blood vengeance, by the Law of Lec.

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627 It was a killing within the tribe, a matter for the chiefs to settle. They had conferred, and decided that Kol's family should pay to the family of Pjeter twelve thousand kronen, or that value in goods. The family of Pjeter had refused to accept this. Again the chiefs met. Twelve hundred kronen had been blood payment within a tribe before the Balkan war, but everything was higher now, and the chiefs offered fifteen hundred kronen. But the old mother of Pjeter was bitter, and the family said that no money would pay for the blood of her only son. They demanded blood for blood, life for life; only the death of Kol or one of his brothers would pay the debt. Kol fled from the mountains and his brothers walked in fear.

Without their men the family could not live. The land was poor, was too hard for the women to work. The irrigation ditches were down, and they could not lift the rocks to rebuild them. And the lives of the men, hunted without rest, became no longer good to them, so that they became morose and sat always by the fire talking of death. Then the women went to Padre Marjan, to ask of him the last ultimate effort.

The good padre granted their plea. Wearing his holy robes and attended by twenty-four chiefs walking in silence, he took the crucifix itself from the church, and went to the house of Pjeter in upper Thethis. For twelve hours he stood, holding the crucifix before the eyes of that family and telling them as God's messenger that they

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must forgive Kol. For twelve hours the twenty-four chiefs stood beside him, waiting. But the old mother was bitter, and upheld the spirits of her nephews, so that they refused.

Never before in all the mountains had anyone refused forgiveness asked by the crucifix itself. It had been carried back to the church above twenty-five bowed heads, and the people of Thethis knelt before it in shame. And Kol could not come home, the men could not work in the fields. The family was always hungry, and the young wife had wept till her eyes were dry of tears.

"We could not again ask Padre Marjan to take the crucifix," said the old woman, looking at us with eyes that begged that we would do so. But the young woman's eyes were somber and hopeless. The violence of the rain had lessened; below us we saw the green valley, the many little houses linked by tiny fields and a network of overflowing irrigation ditches, and the wounded church which had no steeple. But a column of smoke from the chimney showed that Padre Marjan was there. The women lifted their packs, bent forward under them, and slowly went out of sight down the trail.

Before we reached the level of the valley Padre Marjan had seen us, and came across the flat fields to escort us again to his door. He met us at the edge of a gorge in whose depths a waterfall turned the wheel of a mill beside a tiny house. Smoke seeped from the house roof to

PEAKS OF SHALA

ooo no eager clutching in it, no selfish, grasping, personal asking for personal happiness; he could have had no idea whether or not this strange woman would bring happiness into his house; his motives in asking her to marry him had their roots quite outside himself. He believed that she would help him in his work for the tribe.

And I thought that a woman might have a much worse life than in this remote, stranded fragment of primitive times still left among the Albanian mountains, where respect for women is not taught like courteous manners, but is as natural as breathing, so natural that it is never discussed nor even thought about, and where marriage is not centered in small egotisms, but in the larger idea of the family and the future.

But I must admit that to live that life requires other training than any daughter of the twentieth century has received, for one's ideas have little to do with one's actions; my mind might admire this alien concept of life, but I fear that nothing will ever lead a Western woman to marry for the good of anyone but herself.

"Why, Perolli," I said, "of course I can't marry a Shala chief!"

627 We came back to the fireplace where Padre Marjan was stirring the tantalizing contents of the cooking pots, and were clutched by a radiant Frances. She had ventured to speak to Padre Marjan about the family of Kol Marku.[7] And this was the news he had told her. The bitter old mother of Pjeter was relenting. Because the

7 [See cat. 627, pp. 196-209 210] for case of Kol Marku --Analyst]

6: Lane T-3 (no date) 1923 EGl Albania EGl

holy Easter-time was near—so Padre Marjan 627
said, but we guessed that Padre Marjan himself had caused her change of heart—the family of Pjeter had told him the day before in upper Thethis that Kol Marku might come home, and the men of his family work in peace, for two weeks.

This was the law of the blood-feud truce; that the injured party might grant, when it desired to do so, on holy days or at a time of common danger from without, a reprieve of a stated length of time. During that time the families or tribes involved would meet and greet each other courteously, although on the day that the truce ended the law of the blood debt applied again, and they must kill each other at sight. The family of Pjeter had granted two weeks—fourteen days of burden lifted from the spirit of the family of Kol Marku. A great deal could be done in fourteen days, Padre Marjan said—fields cleared, ditches repaired, seed sown, family councils held. And he was hopeful that this was the beginning of complete forgiveness; perhaps in another year Kol Marku might come home to stay with his family. The news was being telephoned to the tribe in which he had taken refuge—a tribe in the valley of the Kiri, near Scutari—and in two days at most he would be in Thethis. Already the men of his family were working; we could see them from the windows of Padre Marjan's dining room, working in the rain with iron bar and hammer, attacking a gigantic

7: Amory G-8 (1943-44) 1948 EG1 Albania EG1

665 Central Council, he had not been given office when the Partisan Provisional Government had been formed at the end of May 1944. Instead, he had been sent as the Government's delegate to the Northern Army, where his efforts to reconcile the Nationalist leaders might still serve Enver Hoja's ends. It had indeed been largely as a result of Mustafa's patient diplomacy that Tsen Elezi, Dan Kalloshi, and other Dibran notables came over to the Partisans; and the cordial relations which he had established with Muharrem Bairaktar had encouraged the Nationalists to believe that he was still working for an understanding with them. It is probable that he was; and indeed almost his last action had been to prepare for a meeting with Gani Kryeziu, his friend and protector in Belgrade.

627 Mystery still surrounds Mustafa's death. The fatal ambush occurred some distance from the front; and, though he had with him several guards, no one ever saw his assailants or heard of them thereafter. Dibra is the land of ambushes, but many still believe that Mustafa was done to death on Enver Hoja's orders. Certain, is only that his work perished with him, and that, after his death, the Partisans no longer sought to reach an understanding with any of the Gheg chiefs.

We were sitting with Abas Kupi and Said when a courier brought the news of Mustafa's fate. Said wept, and the Agha said to us sadly:

"He was my friend, and a great patriot."

2

After Abas Kupi had told us of his decision to attack Durazzo, Maclean and I had returned with Ihsan to his farm at Topise. There we had tested and cleaned our weapons, destroyed superfluous documents, and sought to reduce the weight and bulk of our baggage. Whatever was left over was now confided to the Italian contingent of our Mission, who were constituted into a rear headquarters, despite the protest of their two officers who wanted to fight at our side. Having thus prepared ourselves for the battle, we drove with Ihsan to Lux, near the

[Mustafa Xhelo, rival of Enver Hoja -- Analyst]

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

worked, and must forfeit the rest. To us the pound or two involved seems too insignificant to matter to either, but to most Albanians it was an important sum. In the event, for example, of the master's moving from one district to another, he might not dismiss the servant unless he gave him a full year's wages. If, however, he asked the servant to go with him and the servant refused, he must let him go but need give him no more than what he had so far earned. In the same spirit the law forbade the master to dismiss the servant for a frivolous reason, such as not liking him, and forbade the servant to run away for a frivolous reason, such as boredom. If the master disregarded this law, he must pay the servant a full year's wages, and if the servant disregarded it, he must be content with the wages he had earned to date. By exception, in Krasniqë, in north-east Albania, the master sought out his runaway servant, and after making him find a man to guarantee his future behaviour, brought him back to stay out his time.

If the master had good grounds for dismissing the servant, he must warn and forgive him twice. If the warnings went unheeded, the master said the elders must now judge between them. The servant then went and told his story to the chief elder—the bajraktar in tribal areas—who next asked the master what he had to say. Thus in possession of both sides of the story, the elders sat on the case and pronounced judgement; this turned generally on what money was to be paid to the servant.

If the servant were lazy, an all too common occurrence, or otherwise unsatisfactory, without being criminal, the Unwritten Law allowed his master to reprimand him reasonably and bade the servant swallow the reprimand. But the master must not use foul language or hit the man. For his motive might be to force him to leave before his time, apparently of his own volition, and so deprive himself of his full wages. If the master transgressed this law, the servant had leave to appeal to the elders, not only for payment of his wages in full, but also for compensation for the injury of being hit or violently abused.

The more serious crimes with which a servant might be charged included theft, murder and seducing a girl or young wife in his master's family. In the case of theft the issue depended largely on whether the servant stole from his master, in his master's village, or in another community. If he were caught red-handed robbing his master or subsequently admitted doing so, he was immediately

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

628 the quickest, the second tried when the first failed, and the third
423 when the second failed. In practice recourse to the authorities was rare and seldom as effective as action by elders.

[695] When settlement was made by the parties themselves, one of the two men quarrelling might exclaim, 'Well, take it on your shoulders' —there was no need to specify what—'and set up the stones'. 'All right', replied the other as he bent to pick up a stone or a clod of earth or both to put on his shoulders. 'May I carry it on my shoulder in this world and in that if this ground isn't mine', or 'May I carry this stone and this earth and the whole wide world', he proclaimed as he swaggered off along what he said was the boundary line. Provided four or five witnesses were present this ended the dispute. Either oath was too solemn to be gainsaid. The second in particular was convincing: who would do anything as grave as to take the world on his shoulder for the sake of an erring rope in a measurer's hand? Four or five friends of both parties attended as witnesses. Fear of being asked to take this solemn oath was a considerable deterrent against disturbing the stones. Sometimes the older disputant took an oath, with or without earth or stone, that the disputed land was his, and so proved his title to it.

When the boundary had been recently delimited the disputants might consult their other neighbours, especially if these were older than they were themselves. Or they might ask the opinion of one, two or three very old men from another village as likely to be impartial. If they consulted only one, they had both to consent formally to employing him. Sometimes, when a dispute was dragging on interminably, an old man cut in with an offer to show them where the boundary was, with earth and a stone on his shoulder.

When friends or neighbours were called in they might settle the dispute by arguing. When old men were asked, they had to point out the boundary afresh but not till after they had taken earth and a stone on their shoulders and made a solemn oath to carry these through all eternity if they delimited falsely. When the old men were from the same villages as the disputants, they were unpaid; when from another village they were each given a Turkish pound.

627 By the second method of settlement the elders in Munë took two
622 or three napoleons from each disputant as a pledge of his future
423 behaviour, and arranged for five or six elders as well as some

Plot boundary disputes—analysis

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

ordinary householders to meet at an early date at the boundary. In the presence of the assembled company the claimant swore with earth and a stone on his shoulders that the boundary was where he said. The elders then dug to see if they could find the stones. If they did they gave judgement in the claimant's favour and vice versa. If the losing disputant did not accept their ruling they kept his pledge. In Martanesh, according to Mr Lef Nosi, the case was entrusted to a single elder. First he tried to decide it by questioning the neighbours of the disputants. If he doubted what they said he put them to the ordeal of an oath on bread and the Koran. If he still thought one or more of them was lying he bade them set up the boundary stones where they wished. If they dared to do so he could say no more, but sometimes they jibbed at this final perjury and then his judgement prevailed. If the loser objected to his allowing the neighbours to mark the boundary, he hushed him by bidding him let them perjure themselves and then offering to indemnify him out of his own pocket for his loss, but here the elder was on safe ground. Shame prevented the loser from accepting this offer.

When the elders failed to effect a settlement the injured party in Shijan complained to the government—not always unsuccessfully. Shijan was so near Elbasan that the government's writ ran there even in Turkish times. In many other places, in modern as in Turkish times, it was thought that if elders had failed it was useless to apply to the government, and a shooting match began. In Lumë the man who had taken the oath with earth and a stone took the initiative. In a fury at finding he had risked his soul with an oath for nothing he apostrophized his absent enemy, 'I put the stone on my shoulder. You could have done it, but you wouldn't. Now I'll kill you.' When he succeeded the bitterest of feuds started. Sometimes for greater ignominy they beat each other with sticks. This too started a bitter feud.

When bigger units disputed a boundary each party generally engaged an elder, paying him a fee of 250–500 grush in Martanesh in Mr Lef Nosi's time, against 30 for a quarrel between individuals. Elders, disputants and witnesses crowded to the boundary, where the elders questioned and argued interminably. If they failed to come to an agreement, murder soon followed. When both sides were sickened by the shuttlecock of the feud they called in famous elders from another unit who could not possibly have an interest in

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

is to say, no interested motive for his opinion, he was actually encouraged to express his views. Among the Catholics of the far north the priest was permitted to speak as though he were one of the tribesmen, but his views did not necessarily prevail.

It was unthinkable, of course, that the tribesmen should come without their arms in view of possible dangers on the way. So the law said explicitly that they might bring them. But as soon as they took their places cross-legged on the ground they had to lay their guns on the grass in front of them or on their laps and had to keep them so until the meeting ended. The Catholics sometimes let the priest coax them into depositing their arms in the church house for the duration of the meeting. If anyone raised his gun in anger, it was promptly taken from him by his neighbours. If anyone fired his gun the rest of the meeting immediately formed itself into a firing squad and killed him, and then went in a body to his house and burned it down. Even at the smallest meeting there were four or five important men present who kept a sharp look-out ready to prevent trouble. The priests too kept good watch, and a Franciscan found in Theth by Miss Durham in 1908 told the following story: 'We nearly had a row at the *mesbih*[1] a little while ago.... I heard a fearful noise and as I ran out a lot of them got up into a bunch like bees and raised their rifles. They were just going to fire. They would not listen to me. I rushed into the church and rang the bell as hard as I could. It had a splendid effect. As soon as they heard the bell, from habit they all shoved their pistols into their belts and took their guns in their left hands and began to cross themselves. No one knew what had happened. They poured into the church to see. By the time we came out again... they were quieted.'

Proceedings usually began with a statement by the president that the tribe had assembled to consider certain matters in the manner required by God and the canon, that is to say, with justice and without innovations or departures from the established law. Great importance was attached to the latter point. The decisions of specialist elders were accepted only on condition that they conformed to the accepted law and did not constitute innovations. This proviso was thought unnecessary in the case of elders who had been bred to the law as the specialists had not, and were therefore trusted to stick to it. This conservatism maintained the strength of the law, the main factor in keeping the tribe together.

[1] General Assembly.

2 [illegible] of General Assembly meetings - Analysis

10: Haaluck F-5 (1926-1939)1954 EGI Albania EGI

Assemblies of tribe or village watched above all over their honour. Sometimes their interpretation of honour took strange lines. Father Gjeçov gives the following story from the Mirdite tribe of Spaç. The sister of a villager of Goenaige was married to a villager of Dush in the same tribe. It happened that on one occasion when she came to pay a visit to her brother she took ill and died. He and his friends laid her on a bier and carried her, not to their own cemetery, but to her husband's house in Dush, presumably to avoid the expense of burying her. When the village heard what they had done, they met in General Assembly, and after carefully appraising the dishonour brought on Goenaige by such a public exhibition of meanness, fined the man a cow. This they divided into fifteen portions, which they distributed among the fifteen houses of the village. The fine was justice at its most precise. If the man had buried his sister as he should have done, the funeral feast would have cost him a cow. The event took place about 1903.

Another type of meanness had a similar end. About 1872 a villager of Ure e Shtrejtë in the tribe of Drisht happened to call on a neighbour about midday and was kept for dinner. As they finished, his host scraped his plate. The visitor afterwards complained to the village of the disgrace brought on his own dinner-table by the host. The village met in General Assembly and fined the host 300 grosh for his meanness. According to the law 'a dinner-table is disgraced in a guest's eyes when the host wipes or licks the porringer or scrapes his plate'.

The smallest General Assemblies—those of brotherhoods and households—dealt with what were essentially family matters. They met perhaps to decide on expelling or even killing any hopeless member if his misdeeds were serious enough to threaten the whole brotherhood or household with wholesale punishment by the tribe. They considered the pros and cons of buying an extra bit of land.

Tribal government was entirely democratic—of the people, by the people and for the people, but it differed from tribe to tribe and from time to time, enough to prevent unity. As the tribes in general would not have accepted the law of any one of them as supreme, it was ultimately necessary for Albanian unity that tribal government should be superseded by a modern system evolved in, and exercised from, a capital.

10:Hasluck F-5 (1926-1939)1954 EGI Albania EGI

As Father Gjeçov remarks, perjury harmed the soul, imposed a fine and disgraced the man in the eyes of his fellows. All three consequences worked powerfully in their different ways to keep oath-takers on the path of truth. A thief, for instance, might get as far as the door of a church or mosque, but there his heart would fail him and he would exclaim, 'Forgive me, I did steal it'. Then he would proceed to make the usual reparation. Even innocent men dreaded the oath and took it with great reluctance. In poverty-stricken Theth many were so afraid of it that even when wrongfully accused, they preferred to pay whatever fine was due for the crime. In Lurë people professed to fear nothing so much. 'You may rob me of my life, but I will not break my oath', they used to say. As for oaths taken to settle disputes, generations afterwards the descendants of the original disputants were afraid to break the oath of their ancestors. This fear kept boundaries that had been trodden out by an elder under an oath immovable for all time, and preserved water rights. In modern Lurë there is some maldistribution of irrigation water, but no attempt is made to remedy this by force of law. Many years ago, the people say, their ancestors took an oath about the irrigation rights of each family and they dare not violate this oath. One of the derisory stories told in sophisticated Tirana about the Highlanders relates that they were such pure stuff that one said, when brought to court, 'I have sworn a solemn oath not to tell, but press me a little and I will speak'.

There were occasions, however, on which perjury was thought permissible or even commendable. A man of Lurë, who stood to be conjurymen in a murder case, would sometimes consider whether he might help to make peace between the parties if he forswore himself. If he decided 'but "giving a living man for a dead one was no way of doing", he would swear a false oath. In the Malësi e Madhe, a village ward or a tribe had sometimes to swear not to enter a malefactor's house; when this punishment came to seem excessive it was thought advisable to break the oath.

In general, the modern mountaineers drew a distinction between their own old jury system and the law court that was superseding it. Reluctant though they remained to forswear themselves by their elders' custom, they would do so joyfully in the modern court, especially if this saved a friend or relative or concealed their possession of a rifle; their weapon being their chief treasure, they would deny 'one times' on such that they had it. Instead of public censure

10 Hasluck F-5 (1926-1939)1954 EGl Albania EGl

of theft which were no less universally regarded as shameful. A man who stole from another with whom he had broken bread as host or guest disgraced himself for ever. A woman must not steal for fun or spite. If she did, not only her husband's family, but the whole village felt ashamed and took steps to deal with her.

The accomplice who helped the thief, the host who fed him and the receiver who hid the booty were all considered as no less guilty than the thief himself. 'A thief and his host are the same', and 'Like thief, like receiver' were common sayings. All had to suffer punishment in proportion to their share in the crime and booty. The owner of stolen goods had the right to remove them from the premises of a receiver and to claim compensation, and the receiver had no legal claim for redress as against the thief. On the other hand, if a man bought stolen goods in good faith he had to give them back to the rightful owner, but he was entitled to recover what he had paid for them from the thief.

All possible means of protection against theft were adopted by the mountain peoples. Every man carried a gun by day, and slept with it beside him at night. Dogs were kept in every house and sheepfold. Domestic animals were branded with a mark that could not be destroyed, as when sheep had both their ears notched. Farmyards were surrounded by walls too high to scale and had stout wooden gates heavily bolted at night. Thieves, however, could make holes in the mud and stone walls, and frequently forced an entry that way. The walls of many village shops were lined with wood, so that a thief's chisel, striking it, would make sufficient noise to put the householder on the alert.

In Turkish times many villages sent out armed patrols every night, composed not of professionals like the night watchman of the towns, but of unpaid villagers who served in turn as directed by the village headman. When there was danger of sheep-stealing on a large scale, the threatened villages sometimes bought the protection of some strong man. For example, the villagers of Reç, now in Yugoslavia, hired protection from sheep-stealers of Dibër by paying the Kaloshi family of Dibër a thousand napoleons a year. Nor were the parties deterred from contracting together by the fact that the Kaloshis were Moslems and Albanians, and the villagers of Reç were Orthodox and Macedonian Bulgars.

In the extreme north and south of the mountains, guns could legitimately be used when a thief was caught in the act of breaking

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

into a house or sheepfold, though in some districts the householder or shepherd had to warn the thief three times before shooting in order to avoid a blood feud. The local law said, 'A thief's blood is lost'. In Mirditë, however, there was a saying that 'A blood feud is not stopped by felony', and there it was forbidden to kill a housebreaker at sight. This prohibition had been introduced to prevent men killing their enemies and placing their dead bodies in the farmyard to give the impression that they had been caught in the act of theft.

A man who robbed a child or a woman, stole a loaded packhorse, or another man's gun, could be shot even when not caught in the act, though a blood feud might follow such action.

In Turkish times, the authorities had to be informed of the death of anyone in the act of theft, but they did not punish the man who had killed him. They required only that he should keep watch and ward over the body till some official arrived and send word to the relatives to make arrangements for burial. After the funeral, the relatives and the killer resumed ordinary relations. Strong men, of course, sometimes overrode the ordinary rules and decencies. Thus Deli Beg, the overlord of Preze, an old market centre, was so determined to stop all raids on his flocks that he not only killed all thieves, but shamed them when dead. He tied their bodies on horses, with the heads propped up with a muleteer's forked stick, and drove them through the village streets. He never troubled to inform the authorities of the deaths.

There were elaborate rules for the detection of the thief who succeeded in escaping with his booty. In Lumë the village authorities had the right to search one house after another for the stolen property. Everywhere the victim might try and find it for himself. He would follow the tracks of a stolen animal, generally in the direction of the home of someone known to have a grudge against him. When the tracks ended at a house or its immediate surroundings, the master was regarded as convicted of the theft. 'Track on the ground, animal found', and the owner had the right to take it away immediately if it was still alive. The thief might refuse to produce it and the owner could then ask leave to search the premises. If such permission was not given, the owner had to turn to the elders to enlist their help, as he also had to do if it were found that the animal was dead.

When the beast's tracks stopped between two houses, the

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

CHAPTER XXI

MURDER WITHIN THE FAMILY

When a man murdered his son, father, brother, paternal uncle, paternal uncle's son, or brother's son, the usual verdict was that in killing so near a relative the murderer had 'killed himself'. The victim's blood was therefore lost, 'no one sought-to-avenge him', and it had only been his 'ill-luck' so to die.

From another point of view it might be argued that since the murderer was the victim's nearest relative, other relatives could not act over his head and avenge the dead man. For example, when a man murdered his paternal uncle, if the latter left neither son nor brother, his blood was lost, for the murderer was his nearest relative and by killing him had only killed himself. On the other hand, if the uncle left either a son or a brother, that son or brother was nearer to him than the murderer and avenged his death. In view of his relationship to the criminal his vengeance generally took the form of exacting blood money. In the same way when a man murdered his brother's son, the victim's blood was lost if he left neither father nor brother. But if he left either, the murderer had to pay blood money. The rule of the nearest relative failed only if one brother killed another while their father was alive. Though the father was the nearest relative of the victim, the fratricide being only a neighbour by comparison, the victim's blood was lost. The father could not avenge him except by killing his surviving son, and even from the best of motives no decent father would kill a son.

The motive of the murderer seldom affected the situation. The murder of a son, an extremely rare occurrence, was oftenest due to his adultery with his young stepmother. His blood was lost, not because of his sin, but solely because the father who murdered him was his nearest relative. Again, one brother sometimes fell in love with the other's wife, and knowing, especially in north Albania, that if she became a widow he could by customary law marry her, could not always resist the temptation to make her a widow. The victim's blood was lost in spite of the murderer's motive, and the fratricide married the widow and suffered no disability except some

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

loss of face. At Krujë in 1930 when the authorities sought to punish a man who had murdered his brother during a quarrel, the widow swore that the pistol had gone off accidentally when her brother-in-law was trying to wrest it from her husband, who had threatened suicide. Having thus prevented the authorities from taking action, the widow made no effort to keep the true story of the murder quiet, but repeated it every day during the months when the women met for the ceremonial 'keening'. She was also openly commended by the public for preventing the government from shaming her husband's family by arresting the murderer.

Exceptionally, if the murderer's motive was bad by tribal standards, his relative was well avenged. For instance, if a man killed his cousin or nephew to get his land, the crime was considered so anti-social that the murderer was killed by the community, his blood was lost, and his family expelled. Again, exceptionally, a motive might be so good by tribal standards as to win the murderer public admiration. Thus children in Shalë were taught with great pride that once a tribesman killed his brother for killing a guest, for an Albanian's duty to his guest transcends the claims of blood relationship.

Two modifications of the general rule are to be noted. In Mirditë in spite of the victim's blood being lost, the murderer had to pay the tribe the fine due in cases of ordinary murder, 100 rams and an ox. In the Malësi e Madhe if the two brothers had separated the fratricide had to pay blood money to his brother's dependants. If the widow had no children, she took all the money; if she had a daughter only, she again took it all, for when the time came for the girl to marry, she would as 'head of the family' have to pay the wedding expenses; if she had a son, he took all the money, for his father's death had made him head of the family. The blood money was therefore alimony payable to the widow and orphans who had been robbed of their breadwinner. If the two brothers had not separated, the fratricide as a matter of course supported the widow and orphans along with the other members of his household and the question of alimony did not arise.

Parricide was thought the most abhorrent of all murders within the family. In a sense a father had the right to kill his son without being asked by anybody what he had done, but a son unnatural enough to kill his father could surely not have been got by that father, but must be a bastard. Even where his crime was regarded

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

as suicide so that he escaped with his life, and that was the commonest result, he was treated as 'a low-class fellow', visited by none but bad characters, and, if a Mohammedan, never given the greeting 'Peace be with thee'. In Mirditë, always more rigorous than other districts, he was considered so anti-social that he was either killed or expelled in perpetuity by his kinsmen, or, according to another version, by the whole village along with his kinsmen.

The murder of certain relatives did not concern the family. Thus, if a man murdered a relative by marriage, such as his son-in-law, father-in-law, wife's brother, or sister's husband, the crime ranked as an ordinary murder and was expiated with a life or with blood money. The marriage tie was disregarded; the important point was that, unlike two brothers living under separate roofs, murderer and victim belonged to different families. Such murders were very rare, for marriage relationships were always contracted to secure a valued friend, and no Albanian in his senses ever threw a friend lightly away. Again, if a man murdered his maternal uncle or his sister's son, murderer and victim belonged to different families, and blood money at least was payable for the crime. The contingency rarely arose, since a maternal uncle was regarded as a father and a sister's son as one's own child.

If a woman was taken in adultery, and her husband killed her and her paramour together—'kerchief and cap together'—he incurred no feud; their deaths went unavenged; it was a case of 'blood for blood', one equal to the other. To prove them guilty he sent for his wife's brother and her lover's brother to see them both lying dead; his message would run, 'I killed her because I caught her sinning'. The wife's brother would hand him a cartridge, saying, 'Here is a cartridge for my sister. Bravo for doing this'. The paramour's nearest relatives came to the house, drank coffee, and took away the corpse; the murderer accompanied them to their house, drank coffee, and so peace was established between them. If the paramour's brother was 'a gentleman', 'a man', he would give a cartridge to the husband, saying, 'I pardon your crime because my brother has sinned'. Even the father of the paramour might say to the murderer, 'A blessing on your rifle', and give him coffee as a sign that there was peace between them. In modern times the government accepted the evidence of the two bodies lying together and punished the husband with no more than two or three weeks' imprisonment.

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

This custom of the wife's brother giving a cartridge to a husband who had murdered his erring wife explains the phrase often heard in Albania, 'a bride with a cartridge on her back'. In Martanesh it was an old, but long disused, custom to tie a cartridge on the back of a bride's veil as she left her father's house; this cartridge she was to give to her husband on her wedding night, and he would keep it against the day when he found her unfaithful and then kill her with it. This custom, if it existed elsewhere, has been forgotten, but the phrase is universally known.

In Lumë, if a husband suspected his wife of illicit love-making, he could not tell her people because he was being disgraced. He could only lie in wait till he caught the pair together and then kill them. Sometimes when he could not catch them together, he divorced her; in one instance a man did so on the insistence of his kinsmen, who thought themselves as well as the husband disgraced by the wife's notoriously loose living. He admitted that he could not manage her, divorced her for the sake of the family honour, and then, being too poor to pay the bride-price of another wife, lived alone. Divorcing the wife also ensured that the husband ran no risk of having a feud with either her brother or her lover's family. The Highlanders held similar views—the husband could not question his wife or tell her lover not to come to the house; he could again do nothing but lie in wait until he caught them. A few Highlanders held that the husband might inform her people of her misconduct; if they believed him, they would say, 'Kill her', or perhaps kill her themselves; in either case her death went unavenged. They preferred to kill such a wife for they were Catholics in the main, and as such could not remarry if they divorced their wife. As it was permissible in Martanesh to kill the guilty pair separately, an adulterous wife was never divorced but always killed. If a woman was divorced in Mat, her brother always asked what wrong she had done; if she had been an adulteress, he killed her, provided that the husband first killed the lover. In north-east Albania, if the lover was the husband's brother, divorce was thought the easiest way out. Only an exceptionally brutal man would kill his brother; the average man would prefer to say to his wife, 'You have committed this sin, and are divorced'.

If the husband killed only his wife, her brother avenged her death in most cases; without seeing his sister dead by her lover's side he was unwilling to believe in her guilt and apt to think the husband

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

had killed her out of ill-will. After her brother had killed a male from his house, the husband would kill both her brother and her lover; then peace would be made between all three families. In Martanesh and Lumë if the husband did not kill the lover as well, the wife's brother, when threatening vengeance, would say, 'You killed the bitch; why didn't you kill the dog also?'

Sometimes a husband had not the courage or the heart to kill his wife; then perhaps his people killed her. Or perhaps he sent word to her father that he had found her sinning and asked him to kill her. But the father generally replied to such husbands, 'Kill her yourself, because I gave her to you to look after'. If the wife suspected this interchange of messages, she might run away to her father. In that case her husband sent him word saying, 'Either kill that bitch or see me destroy you root and branch'. The father then either killed her or sent her to her husband to kill. If the father protected the wife, a blood feud began between him and the husband, for the latter could not bear the world to think that he had swallowed such a disgrace.

In Martanesh, it should be noted, it was permissible, as it was not elsewhere, to kill the lover and the wife separately, if they could not be found together. This seems to have been the case in Dibër also. About 1916 a man in Vleshjë (Dibër) found his wife unfaithful and killed the lover. The wife ran away, but the husband caught her, poured paraffin on her, and burned her alive, yet seems to have escaped her brother's vengeance.

If the outraged husband killed only the lover, then he had to fear vengeance from the lover's family. In Lumë on the principle that 'vengeance is not abandoned because of guilt', vengeance was sometimes taken by a 'bad' brother for a man killed in adultery. He might kill the husband, forgive him, or demand blood money.

A gruesome story of collective punishment of a guilty pair comes from Martanesh. About 1912 a young man was caught with a young wife. The 'circle' of the young man took him and the 'circle' of the wife took her out to an appointed spot where they stood them up together. The youth's uncle shot him dead, and the girl's brother shot her, while the drums beat and the other men danced. The honour of the two families being thus cleared, they buried the two close together, but in separate graves, at cross-roads; no hoxha was present to commit them to the grave, nor were they washed and changed. In the neighbouring Zdrâjshë also a guilty

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

couple were buried in any sort of hole, but in separate graves without a hoxha or being washed on boards and changed. In Lumë other customs prevailed. Both were buried in the cemetery in the ordinary way, unless they had been caught outside in some wood or thicket, in which case they were buried where they were killed.

Public opinion is growing against such double murders. It was too often the custom to give young girls to old men, with the inevitable result that the young wives were apt to fall in love with men more of their own age and had therefore to be killed by their fathers.

At Zdrâjshë, when a bride was found on marriage to be pregnant by another man, the unusually mild divorced her at once, but the general rule was to have her killed. The groom locked up the bride, sent for her father, and bade him find her lover. The father always asked for three or four days' respite during which he made inquiries. If the bride had indeed done wrong, an honest father sought out and killed the lover and then came to shoot his own daughter. Or perhaps he gave the bridegroom a cartridge and bade him shoot her with it. All the principles involved are well illustrated by a story from Lurë, still the most undisciplined of all Albanian tribes. About 1928 Metë Hoti, having taken a bride from Vehib Runa in Gur, found her within three months of bearing a child by another man. He sent her back to her father, bidding him find the lover and kill them both. The father would not kill his daughter and persisted in his refusal in spite of Metë's threats to kill the whole family if he did not do so. The father's kinsmen supported Metë, and when he came one night and killed the father, mother, daughter and infant and four other people in the house, they refused to avenge these deaths because the father had transgressed against the unwritten law. For the same reason the government merely imprisoned Metë for a few months.

A woman might be killed for various reasons by a man in her husband's or her father's family. For example, her husband or his representative had leave to kill her for heinous crimes like adultery, incorrigible pilfering, or murdering one of his relatives, but if they killed her for any other reason, her father killed one of them. Two principles were involved: one, that a man bought only the services of his wife and not her life; the other, that a woman retained till her dying day her right to protection by her father's family. Her son by the murderer could not avenge her, because killing his

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

672 honour was in most places satisfied by a money payment. For
682 example, two men of Krujë were examining a revolver together,
*628 not knowing it was loaded, when it went off suddenly and killed one of them. The other was held guilty of murder, but in view of the circumstances escaped with a payment of twenty-five napoleons, the conventional six purses. If an animal killed somebody, the death was considered accidental and the payment of blood money sufficed. In Breg i Matit the grazing was good enough to carry a considerable head of cattle which wandered freely through the swamps, with consequent risk to the public from the bulls. If a man was killed by a bull which its owner knew to be dangerous, the latter had to pay blood money, failing which he was liable to be shot. If he did not know the animal's character, he was excused the payment of blood money but had to surrender the bull to its victim's relatives as a minor atonement.

Accidental though a murder might be, the murderer could not rely on saving his life with blood money. Especially while the crime was fresh, he was well advised to lie low until responsible men had weighed the case and confirmed its accidental character. After paying the money he was not absolutely safe unless he found a guarantor.

In Mirditë when blood money was accepted the murderer had also to pay fines of 100 rams and one ox to the tribe and of 500 grosh (piastres, i.e. one purse) to the family of the Hereditary Captain of Mirditë; the animals were eaten at a public banquet by the tribe. These fines were imposed on the murderer for disturbing the public peace. In cases of accidental murder, however, no fine was payable; the formula ran: 'The rifle which kills accidentally entails blood (really blood money) for blood, but not a fine or pursuit.'

627 The payment of blood money also solved the difficulties in
682 certain cases of murder within the family where atonement had to
*628 be made, yet could not properly be exacted in the form of a life for a life. For instance, if two brothers in Shkrel had separate households, when one killed the other's wife for any but a question of honour, the victim's husband could not kill his own brother for
[683] her sake but had the right to exact blood money; after all, he had been unjustly deprived of his wife's services and must buy another wife. If a married woman in Shkrel were killed, again unreservedly, by some member of her husband's family, her son, if fifteen years

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

of age or more, could not kill the murderer, his own relative, but exacted blood money. In Shalë another principle came into play. If the dead man's relatives did not succeed in killing the murderer within seven years, they accepted blood money. In places like Mirditë where a fine was exacted when blood money was accepted for a murder, no fine was payable in cases of wounding.

In Mirditë 'wounding went by the part'. If the wound was inflicted at the waist or upwards, even if the bullet only grazed the man's head, the aggressor had to pay three purses; if the wound was below the waist, he need pay no more than 750 grosh, i.e. 1½ purses. In Lumë if a wound left a man lame for life, the wound-money was assessed at seventeen napoleons, roughly four purses, or two-thirds of a man's value; if not, five napoleons were enough. In Krasniqë if a man was so wounded in the private parts that he could no longer be a husband, his assailant had to pay him twelve purses, double the price of a dead man. The doctor's expenses had always to be paid by the aggressor; in Martanesh these were customarily reckoned at 200–300 grosh (piastres), and if they were paid, wound money was sometimes not asked. In Mirditë the doctor's expenses were not fixed by custom but were due only when the victim's relatives regulated the matter, not when the headmen did so. In Çermenikë if a man wounded his enemy, that is to say, the man with whom he had a feud, he did not pay the doctor's expenses; if he accidentally wounded a friend or a neutral, he did. This rule was maintained by King Zog's government. Once an American missionary of Korchë had taken a class of boys for a walk in the country when one fell down a precipice and was gravely injured; the government refused to allow the American to leave Albania until the boy, months afterwards, was restored to health and the American had paid the doctor's bills.

As with a death, accident was no excuse. For example, in 1932 two men from Zdrâjshë in Çermenikë were cutting down a tree by the wayside, when a man from Neshtë, on his way to fetch maize, rode by. The woodcutters called to him to stop, but he paid no heed. As he passed, the tree fell, pinning him to the ground. He was carried home, where he lingered for three months and then died. After his death the woodcutters had to pay his family three purses for wounding him. Wounds inflicted by animals, though considered accidental, had also to be paid for. Those inflicted by dogs fell into a special category. In Shkrel the elders were summoned to

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl
[Laws enacted in Kastrat and Bajzë on Nov. 1, 1892]

2. Wounding a man means a fine of 1500 grosh and 12 rams.

3. Whoever fines another without doing it through a General Assembly and by common consent, will be fined 1000 grosh and 10 rams.

4. Whoever disputes with another or calls him names or aims his rifle at him in the following places—Breg i Shpellës, Viri, and Krue i Ri—will be fined 1000 grosh and 10 rams.

5. Whoever breaks down another's hedge in order to make a patch for himself must pay 150 grosh (3 rams) to the owner of the hedge.

6. Whoever murders anyone on the high road will be fined 3000 grosh and 24 rams.

7. Whoever robs another's house or sheepfold will be fined 500 grosh and 5 rams.

8. Whoever dishonours a woman or an engaged girl will be fined 3000 grosh and 10 rams.

9. Whoever does not wish to engage elders and goes away saying 'May I never forgive you' will be fined 500 grosh and 5 rams.

10. Whoever lets his animals graze on another's land will be fined 250 grosh and 3 rams.

11. A man who will not hear of fencing in his portion of land, going halves in the fence with his neighbour, will be fined 250 grosh and 3 rams.

12. A man who does not meet his obligations at the term fixed will be fined 23 grosh.

13. Whoever steals an ox, a cow or a horse in his own village will be fined 500 grosh and 5 rams.

14. A man who does not respond to the village's call to come to a General Assembly or some other requirement of the village will be fined 250 grosh.

15. A man who closes a gap which has always been in the hedge will be fined 150 grosh.

16. The chiefs are to meet in General Assembly once a year, one week after St John's Day. Whoever does not conform to this decision will be fined 500 grosh.

17. 'Pledge elders' are not to take more than 10 grosh as their fee for a judgement, and commoners not more than 5 grosh.

18. Whoever murders his adversary after their feud has been compounded by order of the government will be fined 12 purses and expelled from the village and turned into a ghost.

19. A dog which enters a vineyard with a wooden collar on its neck may not be killed. A dog which enters a vineyard or field without a wooden collar may be killed.

20. Whoever brings a house-dog with him to church or to Shpellë will be fined 50 grosh.

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Montenegrins EF5
Serbs EF6
Slavic People E26

had been stoned to death "many, many years ago." He never failed to add at least half a dozen stones and a multitude of curses to any heap we passed by the way.

Vuk Vrchevitch, in his book on old customs at minor religious festivals, collected in the Bocche di Cattaro, Montenegro, and the Herzegovina, mentions in a footnote that it was customary in the middle of the nineteenth century in Montenegro, when "a man made a statement and at once recognized he had made a mistake, to strike it on a stone (u kamen udariti). He scratched a stone with the nails of his right hand to transfer the error to the stone." As the author thought it necessary to explain this custom to Serbian readers, it is clear that the custom was a local one.

It is noteworthy that I can find no reference to swearing upon stones in old Serbian ballads, though swearing enough takes place in them.

That it is a custom of extreme antiquity there can be no doubt.

Lavrov (*v.* Jirecek) states that the Macedonian Slavs of old worshipped trees and stones. But tree- and pillar-worship is common to very many lands and existed in the Balkans long before the advent of the Slavs. Sir Arthur Evans describes the cult at Mycenæ and Dodona (*Journal of Hellenic Studies*, xxi). The oath on the stone may, therefore, belong to all and any of the Balkan people.

The Northern Slavs appear to have had some such oath. Helmoldus, in his *Chronica Slavorum* (*c.* 1160), tells that they "showed great reverence to their holy places, which were frequently sacred groves or springs, and would not lightly take an oath there, lest they should be overtaken by the wrath of the avenging god." When the church at Oldenburg was built and dedicated to St. John the Baptist in 1066 by the Saxons, "the Count bade the Slavs gather in the church to hear the Word of God . . . and the Slavs were restrained in future from *swearing by trees, fountains, and stones*; they were to bring those accused of crimes to the priest to be examined by the iron or the ploughshare" (*c.* 83). The steps taken by various races to "civilize" others are very interesting. Here the Saxons evidently consider the practice of ordeal by hot iron a more Christian method than that of swearing innocence upon an object believed to be sacred by the swearer.

Helmoldus's statement shows that this ordeal was not Slavonic. We must, therefore, suppose that the hot-iron ordeal, recommended in Stefan Dushan's Code (1349) as a means of testing serfs accused of crime, was borrowed from a neighbour land. Be this as it may, the ordeal was in use in South Slav districts till well into the nineteenth century.

Swearing on a stone has survived only in Albania as a means of self-justification; and it is not impossible that it has existed from

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Montenegrins EF5
Serbs EF6

A 783 pre-Slavonic times. One other trace maybe of holy trees and stones
627 I saw in 1904 when riding through Albania, and never again.

My horse-boy picked up stones and thrust them in the forks of trees when we passed through a wood. To the horror of my companion, A who was a colporteur of the British and Foreign Bible Society from [775 South Albania, the boy declared he was doing so for the spirits of the 769] dead to have something to tread on as they passed. Unfortunately the colporteur blamed him, and he would say no more about it. Hahn, in his Albanian studies, mentions this custom.

A On this journey we passed two small woods where, I was told, no 778 trees were ever cut because "a long while ago a church stood there." No one knew when. The "church" had probably been imagined, to account for the sanctity of the wood.

S In Serbian tales and ballads the oaths are usually sworn by "God 627 and St. John." Does St. John the Baptist represent a former oath on 538 a holy spring? In Montenegro, SS. Petar Cetinski and Vasili of Ostrog 782 were daily asked to bear witness to many dubious statements. No Montenegrin peasant can make a statement, whether true or false, without calling on God and one or other of his saints; and, alas! the old idea of the sanctity of an oath had evaporated and the statement was too often a lie.

Whereas I found the word of the Albanian tribesman reliable; but civilization may weaken his word, too.

M Old King Nikola of Montenegro used to call Heaven to witness 782 many remarkable statements. Once, when the Diplomatic Circle had been summoned to hear an unusually remarkable one, it is said that an astonished silence ensued, till one Minister Plenipotentiary, recovering his presence of mind, politely said: "Your Royal Highness is famed through Europe as . . . a poet."

10: Lodge S-5 (1919, 1939)1941
EF6 Serbs
Albania E61

342 712 low-pitched roof is tiled in red, with dormer-like smoke-holes, or tall, lidded chimneys. The strong wooden doors are round or square at the top; the doorways often formed by lintels and side-pieces of wood, or arched with stone. Windows are few, and very small, often mere loopholes or slits a few inches across. Glass is rare: the openings may be barred by twisted twigs. In the stone houses they are often outlined by a frame of regularly shaped and spaced blocks. The guest-room is lighted by rather larger windows, which are nowadays generally glazed, though old-fashioned paper windows still linger in some parts. The side of the house facing the road is blind, though sometimes a few narrow slits are pierced just under the eaves.

342 712 ●627 The peasants themselves give as a reason for building such fortress-like houses that they have lived so long in dread of hereditary enemies, often very numerous because of the constant blood-feuds. These, like feuds in all countries, often arose over a woman, a runaway or a stolen wife. They said to me frankly: "Under Turkey we could pursue our wives, and kill them with their lovers; but now we are forbidden to do this. A slit is wide enough for us to shoot through, not wide enough for us to be shot at. No enemy can see into the house through it, let alone climb in by it. And then a woman cannot go out by it to keep a tryst, nor can a man come in to find her." For similar reasons, all these dwellings have inside sanitation—small [SW] apse-like closets built of the same material as the house, and apparently clinging to it.

352 The ground floor contains the small dark kitchens where the women and children eat their meals. They have floors of hard earth, and fireplaces of the huge projecting kind, or [359] small open fires with smoke-holes above, with a few cooking- [415] vessels of baked clay set at their edges: the flour-chest stands behind the door. On either side are the storerooms.

343 An open-fronted shed holds the carts and ploughs, with the stables and barn not far off. The stable is lofty, its roof of bare rafters being continuous with the roof of the first floor, so that one may look down on the horses through the slits in the end rooms of this storey.

prevent enemies from climbing it and from piercing a hole in it to fire on the defenders from above, something that has often happened. Finally, the lavatory is built inside the house. 342 712 [514]

Just as the house of Scodra is the highest point in the evolution of Albanian housig architecture, so is the Kula, according to Nopcsa, the most complete form of defensive houses.

The word Kula is of Arabic origin, and has already been met in Byzantine writers since the 11th century (1). Moreover it is also known by the Serbs as early as 1350. Consequently, no Turkish intervention for the construction of the Kula, it is said by Nopcsa, was ever required.

The particular scope determines the building material, plan, dimensions and other construction details of such houses. These buildings are high, towerlike, built of solid stone, providing the greatest possible cover. Narrow loopholes are opened instead of windows, and small towers are built in well selected defensive places.

A veranda and a Kula mutually exclude each other, because if conditions of security allow the building of a house with an open peristoon, same conditions would render the construction of a kula useless. And vice-versa, nobody would ever think of constructing such a type of dwelling, where there is a danger that a veranda might be burned down at night time. This is confirmed by the geographical expansion of the «shpi» (house) and the «kula» (fortified house). Thus, there is a complete absence of typical, towerlike «kulas» in Mekija Mulke, Zadrima, which is situated in a plain, as well as in Bregu-buna and Bregumetja, areas that enjoy greater security. On the contrary, in areas where statistics of crime show that a 21-32% of all deaths are caused by murder, we find the kula, while houses with a peristoon are absent. Because of the custom of vengence male members of many families are bound inside their kula for years. [682] [627]

As for the origin of these tower-form houses which, according to Nopcsa, were multiplied in Middle Albania between the years 800 and 1274, Haberlandt believes that from a house-building point of view, they must be derived from the towers and dungeons propagated [177] [463]

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1) **Anna Komnini**, v. 111 Bonn: Τὴν μέσην ἀκρόπολιν, ἣν ... ἐκάλει τὴ ἡμετέρα κοινὴ διαλέκτῳ, ἐν Κάστρι κυπίγων ... (The acropolis, which is now by habit called K a s t r i, was occupied by Celts ...) **Ch. Kadrinos**, v. 366: Ὁ δοὺξ εἶχε λάβει τὸ μέρος ἐκεῖ τῆς πόλεως ἅπου ἐσυνήθιζεν νὰ κάμνουν ... (Vourtzes had power enough as to take possession of a tower, called K a l a, at the West of Antrocheia ...)